

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN RE: Brian E. Bowman
Debtor(s).

Case No. 22-42426-mar
Chapter 7
Hon. Mark A. Randon

Brian E. Bowman
Appellants,

v.

Stuart A. Gold
Appellee.

NOTICE OF TRANSMITTAL OF **NOTICE OF APPEAL**

I hereby certify that the attached documents are transmitted to the United States District Court for the Eastern District of Michigan, which constitutes the **Notice of Appeal**/Motion to Withdraw the Reference.

- ☒ **Notice of Appeal**
- ☐ Bankruptcy Matter Civil Cover Sheet
- ☒ Orders on Appeal (3)
- ☒ Notice of Deficiency re: Bankruptcy Matter Civil Cover Sheet missing
- ☐ Motion for Leave to Appeal
- ☐ Motion to Withdraw the Reference
- ☒ Other: Clerk's Notice of Fees Due

NOTE:

- ☐ There is a previous civil matter in this bankruptcy.
- ☒ This is a new matter and not previously assigned to a District Court Judge.
- ☐ Appeal Fee paid on
- ☐ Appeal Fee deferred.
- ☒ Appeal Fee not paid

Dated: 6/8/2023

Clerk, United States Bankruptcy Court

By: /s/ Jennifer Hawkins
Deputy Clerk

Official Form 416A (12/15)

Form 416A. CAPTION (FULL)

United States Bankruptcy Court

EASTERN District Of MICHIGAN

In re BRIAN E. BOWMAN,
*[Set forth here all names including married,
maiden, and trade names used by debtor within
the last 8 years.]*

Debtor

Address Brian E Bowman
15738 Sussex
Detroit, MI 48227

Case No.
22-42426-MAR

Last four digits of Social-Security or Individual
Tax- Payer-Identification (ITIN) No(s)., (if any): _____

Chapter
7

Employer's Tax Identification No(s). (if any): _____

[Designation of Character of Paper]

Official Form 417A (12/18)

*[Caption as in Form 416A, 416B, or 416D, as appropriate]***NOTICE OF APPEAL AND STATEMENT OF ELECTION****Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s):

BRIAN E BOWMAN

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff☐ Defendant☐ Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

☒ Debtor☐ Creditor☐ Trustee☐ Other (describe) _____

ORDER SUSTAINING TRUSTEE'S OBJECTION TO DEBTORS AMENDED CLAIMS OF EXEMPTION

Part 2: Identify the subject of this appeal

ORDER DENYING DEBTOR'S MOTION TO STAY TRUSTEE FROM THE SALE OF PROPERTY AND TURNOVER OF RESIDENCE UNTIL CHAPTER 13 HAS BEEN DETERMINED

ORDER DENYING MOTION TO CONVERT CHAPTER 7 CASE TO CHAPTER 13

1. Describe the judgment, order, or decree appealed from: _____

2. State the date on which the judgment, order, or decree was entered: JUNE 5, 2023

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: BRIAN E. BOWMAN Attorney: PROSE
 15738 Sussex
 Detroit, MI 48227

2. Party: Trustee Gold Attorney: Gold, Stuart A.
 24901 Northwestern Hwy.
 Suite 444
 Southfield, MI 48075

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ Brian E Bowman

Date: 6/7/2023

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

Brian E Bowman
15738 Sussex
Detroit, MI 48227

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN THE MATTER OF:

BRIAN E. BOWMAN,

Debtor.

Chapter 7

Case No. 22-42426-MAR

Hon. Mark A. Randon

**ORDER DENYING MOTION TO CONVERT
CHAPTER 7 CASE TO CHAPTER 13**

This matter came before the Court upon the debtor's April 28, 2023 Motion to Convert Chapter 7 Case to Chapter 13 (the "Motion", Docket #76). On May 23, 2023, the Chapter 7 Trustee filed an objection to the Motion. (Docket #109) The Court held a hearing on the Motion on June 5, 2023 at 10:00 a.m. and denied the Motion for the reasons stated on the record.

IT IS HEREBY ORDERED the Motion is denied.

Signed on June 5, 2023



/s/ Mark A. Randon

Mark A. Randon
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN THE MATTER OF:

BRIAN E. BOWMAN,

Debtor.

Chapter 7
Case No. 22-42426-MAR
Hon. Mark A. Randon

**ORDER SUSTAINING TRUSTEE'S OBJECTION TO
DEBTOR'S AMENDED CLAIMS OF EXEMPTION**

This matter having come before Court pursuant to the Chapter 7 Trustee's Objection to Debtor's Amended Claims of Exemption and Request for Costs (Docket #98, "the Objection"). The Objection was served upon the debtor pursuant to applicable bankruptcy rules. On May 24, 2023 the debtor filed a response to the Objection (docket #111). The Court held a hearing on the Objection on June 5, 2023 at 10:00 a.m. and granted the Objection for the reasons stated at the hearing. The Court being duly advised in the premises;

IT IS HEREBY ORDERED that the Objection is sustained. The debtor's amended claims of exemption under 11 U.S.C. §§ 522(d)(1) & 522(d)(5) in the 15738 Sussex St., Detroit, Michigan property are disallowed. Costs were not awarded.

Signed on June 5, 2023



/s/ Mark A. Randon

**Mark A. Randon
United States Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN THE MATTER OF:

BRIAN E. BOWMAN,

Debtor.

Chapter 7

Case No. 22-42426-MAR

Hon. Mark A. Randon

**ORDER DENYING DEBTOR'S MOTION TO STAY
TRUSTEE FROM THE SALE OF PROPERTY AND TURNOVER
OF RESIDENCE UNTIL CHAPTER 13 HAS BEEN DETERMINED**

This matter came before the Court upon the debtor's May 4, 2023 Motion to Stay Trustee From Sale of Property and to Turnover Residence Until the Chapter 13 Has Been Determined ("the Motion; Docket #91). On May 18, 2023, the Chapter 7 Trustee filed an Objection to the Motion. On June 1, 2023, Investment Retrievers, Inc. filed a concurrence to the Chapter 7 Trustee's objection to the Motion. (Docket #127) The Court held a hearing on the Motion on June 5, 2023 at 10:00 a.m. and denied the Motion for the reasons stated on the record.

IT IS HEREBY ORDERED the Motion is denied.

Signed on June 5, 2023



/s/ Mark A. Randon

Mark A. Randon
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

BRIAN E BOWMAN

Case No. 22-42426-mar

Chapter 7

Debtor.

Hon. Mark A. Randon

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2023, I served copies of the

Official Form 416A & 417A

served upon

Gold, Stuart A.
24901 Northwestern Hwy.
Suite 444
Southfield, MI 48075

, by first class mail.

Dated: June 7, 2023

/s/ Brian E Bowman
Brian E Bowman

UNITED STATES BANKRUPTCY COURT
 Eastern District of Michigan
 211 West Fort Street
 Detroit, MI 48226

Case No.: 22-42426-mar
 Chapter: 7

In Re: (NAME OF DEBTOR(S))

Brian E. Bowman
 15738 Sussex
 Detroit, MI 48227

Social Security No.:
 xxx-xx-5716

Employer's Tax I.D. No.:

NOTICE OF DEFICIENT FILING

It has been determined that the following document(s) are Missing and/or Non-Compliant:

134 – Notice of Appeal and Statement of Election to the District Court . Fee Amount \$298 Filed by Debtor Brian E. Bowman (RE: related document(s)129 Order on Motion to Convert Case from Chapter 7 To Chapter 13, 130 Order on Objection to Debtor's Exemptions, 131 Order on Generic Motion). (slh)

Bankruptcy Matter Civil Case Cover Sheet Missing

is defective as indicated:

- ☐ Acceptable List of Creditors Missing
- ☐ Acceptable List of Creditors Not Uploaded
- ☐ Amended Document Missing or Non-Compliant (To be filed with Cover Sheet for Amendments in its entirety as one PDF)
- ☐ Application for Individuals to Pay the Filing Fee in Installments Missing or Non-Compliant
- ☐ Application to Have the Chapter 7 Filing Fee Waived Missing or Non-Compliant
- ☐ Bankruptcy Petition Cover Sheet Missing or Non-Compliant
- ☒ Bankruptcy Matter Civil Case Cover Sheet Missing
- ☐ Brief Missing
- ☐ Certificate of Exigent Circumstances-Credit Counseling Waiver Missing
- ☐ Chapter 13 Plan is Non-Compliant
- ☐ Cover Sheet for Amendments to Schedules and or Statements Missing or Non-Compliant (To be filed with corrected document in its entirety as one PDF)
- ☐ Docket or Proof of Claim Number Missing
- ☐ Electronic Signature does not match login
- ☐ Electronic Signature Missing or Incorrect Format ECF Procedure 11 (d)(1)
- ☐ List of 20 Largest Unsecured Creditors Missing
- ☐ Motion for Approval of Certificate of Exigent Circumstances (109)(h)(3)(A) Missing
- ☐ Motion to Convert under 11 USC 706(a)(Rule 9013) Missing
- ☐ Motion to Excuse Credit Counseling (109)(h)(4) Missing
- ☐ Notice of Objection to Claim Missing or Non-Compliant

- ☐ Notice of Special Appearance (LBR 9010–1(c)) Missing or Non–Compliant
- ☐ Notice to Respondent Missing or Non–Compliant
- ☐ Original Signature Missing or Non–Compliant
- ☐ Petition Non–Compliant (To be filed in its entirety)
- ☐ Proof of Service Missing or Non–Compliant
- ☐ Proposed Order Missing
- ☐ Redacted Document Missing or Non–Compliant
- ☐ Statement of Attorney for Debtors 2016b LBR 9010–1c Missing or Non–Compliant
- ☐ Statement of Corporate Ownership Missing
- ☐ Statement of Petition Preparer Pursuant to F.R.Bankr.P.2016 (c) Missing

A corrected/missing document must be filed with the court within seven (7) days of this notice. If not corrected, the case may be dismissed or an order striking the document from the record may be entered by the Court. The new document filed should be identified as "**CORRECTED**".

Dated: 6/8/23

BY THE COURT

Todd M. Stickle , Clerk of Court
U.S. Bankruptcy Court

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

226 WEST SECOND ST.
FLINT, MI 48502
(810) 235-4126

OFFICE OF THE CLERK OF COURT
211 WEST FORT STREET, SUITE 2100
DETROIT, MICHIGAN 48226-3211
(313) 234-0065 / WWW.MIEB.USCOURTS.GOV

111 FIRST STREET
BAY CITY, MI 48707
(989) 894-8840

June 7, 2023

Brian E. Bowman
15738 Sussex
Detroit, MI 48227

RE: Chapter 7
Case Number: 22-42426-mar

Dear Mr. Bowman,

On June 7, 2023, you filed a Notice of Appeal and Statement of Election to the District Court. The fee to file a Notice of Appeal and Statement of Election to the District Court is \$298.00.

Please include this letter with your payment of **\$298.00** and send to the Intake Department to the following:

U. S. Bankruptcy Courthouse
226 W. Second Street
Flint, MI 48502

Your cooperation in this matter will be appreciated. If you have any questions, please call our Financial Section at 810-235-4865.

Sincerely,

/s/ Jennifer Clark
Deputy in Charge

****NO PERSONAL CHECKS, DEBIT OR CREDIT CARDS will be accepted from a debtor. Payments submitted to the clerk must be cashiers' check or money order. Credit cards will only be accepted from attorneys through pay.gov.**

cc: Court File